

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

IN RE: WAREHOUSE 86, LLC
DEBTOR

CASE NO. 08-03423 ee
CHAPTER 7

TRUSTEE'S OBJECTION TO CLAIMS

Chapter 7 Trustee, Kimberly R. Lentz, files this Trustee's Objection to Claims pursuant to Rule 3001 of the *Federal Rules of Bankruptcy Proceedings* and Rule 3007-1 of the *Uniform Local Rules* and states as follows:

1. Warehouse 86, LLC ("Debtor") filed for relief under Chapter 11 of the *Bankruptcy Code* on November 4, 2008. On December 3, 2010, the case was converted to a Chapter 7 proceeding. Kimberly R. Lentz is the Chapter 7 trustee ("Trustee") of the bankruptcy estate of the Debtor.

2. This Court has jurisdiction over this matter pursuant 28 U.S.C. § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).

3. **(OVERSTOCK.COM, INC. - CLAIM NO. 5-1)** The Trustee objects to Claim No. 5-1 filed by Overstock.com, Inc. in the amount of \$558,880.23 on the basis that the claim has no supporting documentation and the claim is a duplicate of Claim No. 33-1. The Trustee requests that Claim No. 5-1 be disallowed as a general unsecured claim.

4. **(OVERSTOCK.COM, INC. - CLAIM NO. 33-1)** The Trustee objects to Claim No. 33-1 filed by Overstock.com, Inc. in the amount of \$558,880.23 on the basis that the claim has no supporting documentation and the claim is a duplicate of Claim No. 5-1. The Trustee requests that Claim No. 33-1 be disallowed as a general unsecured claim.

WHEREFORE, PREMISES CONSIDERED, for the reasons set forth above, the Trustee

requests that this Court disallow Claim No. 5-1 filed by Overstock.com, Inc. in the amount of \$558,880.23, disallow Claim No. 33-1 filed by Overstock.com, Inc. in the amount of \$558,880.23 and the Trustee requests any additional relief that may be just.

Respectfully submitted,
KIMBERLY R. LENTZ, TRUSTEE

By: /s/ Kimberly R. Lentz
KIMBERLY R. LENTZ, (BAR NO. 8986)

Of Counsel:
Lentz & Little, PA
Post Office Box 927
Gulfport, Mississippi 39502
Telephone (228) 867-6050
Facsimile (228) 867-6077

CERTIFICATE OF SERVICE

I, KIMBERLY R. LENTZ, do hereby certify that the following have been served electronically via ECF with a copy of the foregoing document:

United States Trustee : USTPRegion05.JA.ECF@usdoj.gov
Christopher R. Maddux, Attorney for Debtor: chris.maddux@butlersnow.com
John A. Crawford, Jr., Attorney for Debtor: jack.crawford@butlersnow.com
Stephen W. Rosenblatt, Attorney for Debtor: Steve.Rosenblatt@butlersnow.com

I further certify that the following have been served with a copy of the foregoing document by U.S. mail, postage prepaid.

Warehouse 86, LLC.
Post Office Box 16692
Jackson, MS 39236

Overstock.com, Inc.
Attn: Edwin W. Christensen
6350 S 3000 East
Salt Lake City, UT 84121-5952

This the 13th day of July, 2011.

/s/ Kimberly R. Lentz
KIMBERLY R. LENTZ